

LIBELED: 12-22-59, S. Dist. Ohio.

CHARGE: 402(a)(2)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, namely, pentachloro nitrobenzene, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on lettuce has been prescribed by regulations.

DISPOSITION: 12-23-59. Consent—destruction.

26357. Bibb lettuce. (F.D.C. No. 44211. S. Nos. 89-944/5 P.)

QUANTITY: 464 5-lb. baskets at Chicago, Ill.

SHIPPED: 1-19-60 and 1-21-60, from Terre Haute, Ind., by J. W. Davis Co.

LIBELED: 1-28-60, N. Dist. Ill.

CHARGE: 402(a)(2)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, namely, pentachloro nitrobenzene, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on lettuce has been prescribed by regulations.

DISPOSITION: 2-25-60. Default—destruction.

26358. Canned pumpkin. (F.D.C. No. 43867. S. No. 52-762 P.)

QUANTITY: 286 cases, 24 15-oz. cans each, at La Crosse, Wis.

SHIPPED: 10-2-59, from Owatonna, Minn., by Owatonna Canning Co.

LABEL IN PART: (Can) "IGA Golden Pumpkin * * * Packed for Independent Grocers' Alliance Distributing Co. Chicago."

LIBELED: 12-8-59, W. Dist. Wis.

CHARGE: 402(b)(2)—when shipped, starch had been substituted in whole or in part for pumpkin; 402(a)(3)—contained a filthy substance by reason of having been prepared from dirty pumpkins; and 403(i)(2)—the article was made from two or more ingredients and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: 2-5-60. Default—destruction.

26359. Canned green peppers. (F.D.C. No. 43925. S. No. 68-158 P.)

QUANTITY: 48 cases, 4 1-gal. jars each, at Philadelphia, Pa.

SHIPPED: 10-7-59, from Sandtown, Del., by George Nechay & Sons.

LIBELED: 11-24-59, E. Dist. Pa.

CHARGE: 402(a)(3)—contained insects and insect parts when shipped; 403(e)—the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; and 403(i)—the label of the article failed to bear (1) the common or usual name of the article and (2) a list of the ingredients of the article by their common or usual name.

DISPOSITION: 12-24-59. Default—destruction.

26360. Celery. (F.D.C. No. 44141. S. Nos. 68-317/8 P.)

QUANTITY: 340 crates, each containing 6 doz. stalks, at Philadelphia, Pa.

SHIPPED: 12-9-59 and 12-14-59, from Sanford, Fla., by Chase & Co.